1-24-05

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**PATENT** 

DOCKET NO.: 03-005 (ANSI01-00016)

Customer No.: 36029

JAN 2 1 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RADEM re application of

PATRICK M. CULLEN ET AL.

U.S. Serial No.

10/613,142

Filed

July 3, 2003

For

SYSTEM AND METHOD FOR IMPLANTABLE PULSE

GENERATOR WITH MULTIPLE TREATMENT PROTOCOLS

Group No.

3762

Examiner

Not Yet Assigned

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## **CERTIFICATE OF MAILING BY EXPRESS MAIL**

The undersigned hereby certifies that the following documents:

- 1. Postcard receipt;
- 2. Information Disclosure Statement;
- 3. Form PTO/SB/08A;
- 4. Copy of International Search Report for PCT Application No. PCT/US2004/021293; and
- 5. One (1) reference

relating to the above application, were deposited as "Express Mail" Label No. EV507966919US with the United States Postal Service, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 2/, 2005.

Date: 1/21/05

Mailer

Date: 1

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Dear Sir:

## INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, Applicant submits this statement. This submittal is made in accordance with 37 C.F.R. §§ 1.97 and 1.98 and § 609 of the Manual of Patent Examining Procedure. The patents and patent publications herein are listed below and on the attached Form PTO/SB08A. These references were identified in the International Search Report issued in the related PCT Patent Application No. PCT/US2004/021293, a copy of which is attached hereto. A copy of the listed foreign reference is submitted herewith.

DOCKET NO.: 03-005 (ANSI01-00016) U.S. SERIAL NO.: 10/613,142

PATENT

U.S. Patent No.	<u>Inventor</u>	<u>Date</u>	
4,236,524 2003/0036783 A1	Powell et al. Bauhahn et al.	December 2, 1980 February 20, 2003	
Foreign Patent No.	Country	<u>Date</u>	
WO 2004/093984 A1	PCT	November 4, 2004	

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above Patents and to question the relevance and materiality of the Patents and Publications listed herein, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

In accordance with 37 C.F.R. 1.97(e), the undersigned certifies that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Further, pursuant to 37 C.F.R. § 1.97(e) and the above statements, no fee is believed to be due for the filing of this Information Disclosure Statement.

DOCKET No.: 03-005 (ANSI01-00016) U.S. SERIAL NO.: 10/613,142 PATENT

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 1/21/2005

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO RADENA

Sheet 1

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/613,142			
Filing Date	July 3, 2003			
First Named Inventor	Patrick M. Cullen			
Art Unit	3762			
Examiner Name	Not Yet Assigned			
Attorney Docket Number	03-005 (ANSI01-00016)			

			U. S. PATEN	TOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 4 000 504	1000000		rigules Appeal
	AA	<sup>US-</sup> 4,236,524	12/02/1980	Powell et al.	
	AB	<sup>US-</sup> 2003/0036783 A1	02/20/2003	Bauhahn et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*  Cite No.¹  Country Code³ Number⁴ Kind Code⁵ (if known)		Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	T
	MM-DD-YYYY	Applicant of Cited Document	Or Relevant Figures Appear	T€		
	AC	WO 2004/093984 A1	11/04/2004	Medtronic, Inc.		
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Examiner	Data	
Signature	Date	
Signature	Considered	
	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.